

226844

LAW OFFICE
THOMAS F. MCFARLAND, P.C.
208 SOUTH LASALLE STREET - SUITE 1890
CHICAGO, ILLINOIS 60604-1112
TELEPHONE (312) 236-0204
FAX (312) 201-9695
mcfarland@aol.com

THOMAS F. MCFARLAND

April 19, 2010

By e-filing

Ms. Cynthia T. Brown, Chief
Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W.
Washington, DC 20024

ENTERED
Office of Proceedings

APR 19 2010

Part of
Public Record

Re: Docket No. AB-384 (Sub-No. 1X), *Delta Southern Railroad, Inc. -- Abandonment
Exemption -- Portion of the Lake Providence Line*

Dear Ms. Brown:

Delta Southern Railroad, Inc. (DSR) hereby petitions for waiver of the provisions of 49 C.F.R. § 1152.29(e)(2) in order to extend, for an additional 180 days after April 5, 2010, the deadline for consummation of abandonment of an 8.2-mile segment of rail line between Milepost 454.8 at the Arkansas-Louisiana state line and Milepost 463.0 at or near Shelburn, LA (the rail line).

By virtue of a Board decision served October 2, 2009, the deadline for consummation of abandonment of the rail line was extended until April 5, 2010.

The following is respectfully submitted as justification for the requested waiver:

- (1) waiver is being sought a short time after expiration of the deadline for consummation;
- (2) there has been no request for railbanking and interim trail use of the rail line; therefore, no entity would be disadvantaged as a result of the requested waiver;
- (3) the requested waiver is being sought in order to permit DSR to negotiate to convey the rail line for continued rail use, which would be consistent with the National Rail Policy;
- (4) in the foregoing circumstances, it would be unduly burdensome to require DSR to refile for authority to abandon the rail line.

THOMAS F. MCFARLAND

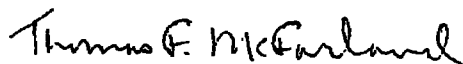
Ms. Cynthia T. Brown, Chief

April 19, 2010

Page 2

WHEREFORE, the Board should waive the provisions of 49 C.F.R. § 1152.29(e)(2) to extend the deadline for consummation of abandonment of the rail line for 180 days after April 5, 2010.

Respectfully submitted,



Thomas F. McFarland

*Attorney for Delta Southern
Railroad, Inc.*

TMcF.kl:wp8 0\1015efSTB11

cc: Mr. Bill Wainright, *by e-mail to lwain97@colla.com*